

29. (New) A communication method according to claim 20, wherein a communication line of the communication system is a serial bus.

30. (New) A communication method according to claim 20, wherein the communication system conforms to a IEEE 1394-1995 standard.

31. (New) A communication method according to claim 20, wherein the object data includes image data.

REMARKS

This application has been reviewed in light of the Office Action dated June 5, 2002. Claims 1, 4, 7, 17-20, and 27-31 are presented for examination, of which Claims 1 and 10 are in independent form. Claims 2, 3, 5, 6, 8-16, and 21-26 have been cancelled, without prejudice or disclaimer of the subject matter presented therein. New Claims 27-31 have been added to provide Applicants with a more complete scope of protection. Claims 1, 4, 7, and 17-20 have been amended to define more clearly what Applicants regard as their invention. Favorable reconsideration is requested.

The Office Action rejected Claims 1, 5, 6, 12, 14, and 19-26 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,938,735 (Malik). Claims 8-11 and 13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Malik. Claim 2 stands rejected under § 103(a) as being unpatentable over Malik in view of U.S. Patent No. 5,440,613

(Fuentes). Claim 3 stands rejected under § 103(a) as being unpatentable over Malik in view of U.S. Patent No. 6,233,017 (Chaddha). Claims 16-18 stand rejected under § 103(a) as being unpatentable over U.S. Patent No. 6,006,286 (Baker et al.) in view of Malik. Claim 4 stands rejected under § 103(a) as being unpatentable over Baker et al. and Malik in view of U.S. Patent No. 5,802,057 (Duckwall et al.). Claim 7 stands rejected under § 103(a) as being unpatentable over Baker et al. and Malik in view of U.S. Patent No. 6,334,161 (Suzuki et al.). Claim 15 stands rejected under § 103(a) as being unpatentable over Baker et al. and Malik in view of "applicant's admitted prior art."

Cancellation of Claims 2, 3, 5, 6, 8-16, and 21-26 renders their rejections moot. Applicants submit that independent Claims 1 and 20, together with the claims dependent thereon, are patentably distinct from the cited prior art for at least the following reasons.

The aspect of the present invention set forth in Claim 1 is directed to a communication system that includes a controller, a destination node, and a source node. The source node is adapted to transfer object data to the destination node asynchronously using a communication protocol selected by the controller and a logical connection set by the controller. The controller is adapted to perform the following functions: obtain information about a communication capability of the source node from a first register of the source node; obtain information about a communication capability of the destination node from a first register of the destination node; select a communication protocol using the information obtained from the source node and the destination node; set a logical connection between the source node and the destination node; store information about the communication protocol selected by the controller

and information about the logical connection set by the controller in a second register of the source node; and store information about the communication protocol selected by the controller and information about the logical connection set by the controller in a second register of the destination node.

One important feature of Claim 1 is that the system enables information about the communication capability of the source node and the destination node to be easily notified to the controller from the source node and the destination node by providing first and second registers to each of the source and destination nodes. Also, the system enables information about the communication protocol selected by the controller and information about the logical connection set by the controller also to be easily notified to the source and destination nodes from the controller.

Malik, as understood by Applicants, relates to a system for optimizing an ISDN communication, by identifying common communication attributes of source and destination terminals. Nothing has been found in Malik that is believed to teach or suggest a communication system that includes a controller, a destination node, and a source node adapted to transfer object data to the destination node asynchronously using a communication protocol selected by the controller and a logical connection set by the controller, "wherein the controller is adapted to obtain information about a communication capability of the source node from a first register of the source node, to obtain information about a communication capability of the destination node from a first register of the destination node, to select a communication protocol using the information obtained from the source node and the destination node, to set a logical connection

between the source node and the destination node, to store information about the communication protocol selected by the controller and information about the logical connection set by the controller in a second register of the source node, and to store information about the communication protocol selected by the controller and information about the logical connection set by the controller in a second register of the destination node," as recited in Claim 1.

Malik apparently discloses that a setup message is formed at a source terminal. The setup message includes attribute information of the source terminal and is sent by the source terminal to a switch, which extracts the attribute information. The switch sends an inquiry to a destination terminal to ascertain the attributes of the destination terminal, which are reported to the switch in a reply to the inquiry. The switch identifies common attributes and allocates communication resources accordingly.

Applicants submit, however, that Malik is silent regarding the use of "first and second registers" in each of a source node and a destination node, as claimed in Claim 1, in which the first register of the source and destination nodes holds information about a respective communication capability, and the second register of the source and destination nodes holds information about a communication protocol and a logical connection. Further, the other cited references also are believed to be silent regarding the use of such registers.

Accordingly, Applicants submit that Claim 1 is not anticipated by Malik, and respectfully request withdrawal of the rejection under 35 U.S.C. § 102(e). Independent Claim 20 includes a feature similar to that discussed above, in which first and second registers are used in each of a source node and a destination node. Accordingly, Claim 20 is believed to be patentable


for at least the same reasons as discussed above.

The other claims in this application depend from one or the other of the independent claims discussed above and, therefore, are submitted to be patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, individual consideration or reconsideration, as the case may be, of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,


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VERSION WITH MARKINGS TO SHOW CHANGES MADE TO CLAIMS

1. (Amended) A [data] communication system comprising:

a controller;

a destination node; and

a source node [for transferring] adapted to transfer object data [including one or more segments by using at least one asynchronous communication;

one or more destination nodes for receiving the object data transferred from said source node; and] to the destination node asynchronously using a communication protocol selected by the controller and a logical connection set by the controller,

[a controller for setting a logical connection relationship between said source node and said one or more destination nodes, wherein said controller selects a communication protocol to be used in said source node and said destination nodes among a plurality of different communication protocols] wherein the controller is adapted to obtain information about a communication capability of the source node from a first register of the source node, to obtain information about a communication capability of the destination node from a first register of the destination node, to select a communication protocol using the information obtained from the source node and the destination node, to set a logical connection between the source node and the destination node, to store information about the communication protocol selected by the controller and information about the logical connection set by the controller in a second register of the source node, and to store information about the communication protocol selected by the

controller and information about the logical connection set by the controller in a second register of the destination node.

Claims 2 and 3 have been canceled.

4. (Amended) A [data] communication system according to claim [2] 1, wherein [said] the controller is adapted to select a communication protocol [is a] using a broadcast transaction or another communication protocol [using asynchronous broadcast transaction].

Claims 5 and 6 have been canceled.

7. (Amended) A [data] communication system according to claim [5] 1, wherein [said] the controller is adapted to select a communication protocol [is a] using a write transaction or another communication protocol [using asynchronous write transaction].

Claims 8-16 have been canceled.

17. (Amended) A [data] communication system according to claim 1, wherein a communication line of the communication system is a [bus-type network] serial bus.

18. (Amended) A [data] communication system according to claim 1, wherein the

[data] communication system [is a network based upon] conforms to a IEEE 1394-1995
[Standard] standard.

19. (Amended) A [data] communication system according to claim 1, wherein the
object data [is at least one of still] includes image data[, graphic data, text data, file data and
program data].

20. (Amended) A [data] communication method to be used in a communication
system that includes at least a controller, a destination node, and a source node adapted to
transfer object data to the destination node asynchronously using a communication protocol
selected by the controller and a logical connection set by the controller, the method comprising
the steps of:

[setting a logical connection relationship between a source node and one or more
destination nodes;] obtaining information about a communication capability of the source node
from a first register of the source node;

obtaining information about a communication capability of the destination node
from a first register of the destination node;

selecting a first or a second communication protocol [to be used in said source
node and said destination nodes among a plurality of different communication protocols] using
the information obtained from the source node and the destination node;

[transferring object data including one or more segments to said destination nodes

by using at least one asynchronous communication; and

receiving the object data transferred from said source node by using the logical connection relationship] setting a logical connection between the source node and the destination node;

storing information about the communication protocol and information about the logical connection set by the controller in a second register of the source node; and

storing information about the communication protocol selected by the controller and information about the logical connection set by the controller in a second register of the destination node.

Claims 21-26 have been canceled.